

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES

CRIMINAL ACTION

v.

EVENS CLAUDE

NO. 12-33-01

ORDER

AND NOW, this 13th day of August, 2020, upon consideration of *pro se* Petitioner's Memorandum of Law and Supporting Appendix in Support of Motion to Correct, Vacate, and/or Set-Aside Conviction Pursuant to Title 28 U.S.C. § 2255 (Document No. 413, filed May 8, 2017), *pro se* Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 419, filed June 7, 2017), Government's Response to Defendant's Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255 (Document No. 424, filed September 1, 2017), *pro se* Defendant's Reply to the Government Response Motion to Vacate, Set Aside Conviction and Sentence Pursuant to 28 U.S.C. 2255 (Document No. 425, filed October 17, 2017), defendant's *pro se* Post Hearing Brief (Document No. 464, filed April 29, 2019), Petitioner's Requests for Findings of Fact and Conclusions of Law (Document No. 470, filed May 31, 2019), Government's Proposed Findings of Fact and Conclusions of Law (Document No. 473, filed June 28, 2019), Evens Claude's Response to Government's Proposed Findings of Fact and Conclusions of Law (Document No. 476, filed July 30, 2019), following an evidentiary hearing on March 14, 2019, for the reasons stated in the Memorandum dated August, 13, 2020, **IT IS ORDERED** that defendant's *pro se* Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 419) is **DENIED**.

IT IS FURTHER ORDERED that a certificate of appealability will not issue because reasonable jurists would not debate whether the petition states a valid claim of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.